

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50150 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- LAUKAHA District- Madhubani

DAYANAND SAH, Son of Ghuran Sah Resident of Village-Kamalpur, P.S.-
Laukaha, District-Madhubani

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. POOJA KUMARI D/o Ram Avtar Thakur Resident of Village-Kamalpur,
P.S.-Laukaha, District-Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Laukaha P.S. Case No.
97 of 2023 dated 17.04.2023 registered for the offences
punishable u/ss 341, 323, 376/511, 506/ 34 of the Indian Penal
Code and u/s 8 of the POCSO Act.

4. As per the prosecution case, the petitioner was
giving tuition to the informant for two years and since then he



used to molest her by touching her private parts due to which she started getting mentally disturb. It is further alleged that the petitioner threatened her and called her to his house and the petitioner along with the co-accused persons tried to commit rape on her then she ran towards her house and on hulla, she was saved.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has no concern either with the informant or with her family members. There is no statutory compliance of Section 164A of the Cr.P.C. It is further submitted that the victim could have left tuition earlier when she knew about the bad conduct of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Laukaha P.S. Case No. 97 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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